FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

APPEAL FROM ORDER NO.766 OF 2004.

Office Notes,Office Memoranda of Coram, appearnaces,Courts's orders or directions and Registrar's orders.	:	Court's or Judge's orders

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Shri Rakesh Pandey for the appellant.

Shri Y.S. Jahagirdar with P.S. Dani i/b

Godfrey D'silva for respondent Nos. 1 & 2.

CORAM: V.C.DAGA,J.

DATED: 26-08-2004.

P.C.:

. During the course of hearing, learned Counsel for the respondents submits that in view of the rainy season there is no possibility of development of plot for about 4 to 6 weeks. No such work is intended to be taken up in this period. In view of this statement, I do not think, any order muchless any ad-interim order is necessary.

2. At this stage, learned Counsel for the

appellant, in view of the statement made by the learned Counsel for the respondents, seeks permission to withdraw this appeal with liberty to approach the trial Court to proceed with the Notice of Motion.

3. Accordingly, appeal is allowed to be withdrawn. The trial Court is directed to decide the Notice of Motion as expeditiously as possible, at any rate, within 4 weeks from the date of receipt of copy of this order on its own merits. With this direction, appeal is allowed to be withdrawn, keeping all rival contentions open, with no order as to costs.